

REMARKS

Claims 1-2, 4-16, 19-24 and 26-31 appear in this application for the Examiner's review and reconsideration.

Applicants are grateful for the Examiner's interviews on September 5, 2008 and October 15, 2008 regarding the present Office Action. In order to expedite the prosecution of the present application and obtain allowance at least to a portion of the subject matter in the present application, claims 1, 5, 6, 11, 12, 13, 14, 24, 26, 27, 28, and 29 have been amended. Claims 3, 19, 20 and 25 have been canceled without prejudice. Applicants reserve the right to prosecute the amended and canceled subject matter in related applications. The amendments are supported by the originally filed specification and claims. Specifically, the amendment is supported, *inter alia*, at paragraph [0024]. No new matter has been added. Process claims, claims 15-22 have been withdrawn in a response filed June 27, 2006. Applicant notes that the withdrawn process claims include all of the limitations of at least one pending product claim from the elected claim group (Group I as set forth in the Office Action mailed January 3, 2006). Accordingly, upon allowance of an elected product claim, Applicant respectfully requests rejoinder of process claims 15-16 and 21-22 incorporating the limitations of an allowed product claim, in accordance with the provisions of M.P.E.P. § 821.04. Applicants respectfully submit that, upon rejoinder, method claims 15-16 and 21-22 will be in condition for allowance.

Applicants believe that all objections and rejections have been obviated and the application is now in condition for allowance.

I. INTERVIEW SUMMARY

Applicants are grateful for the telephonic interviews on September 5, 2008 and October 15, 2008. The Examiner's comments are addressed by canceling claims or complying with any requirement expressly set forth in the final office action and during the interviews.

II. CLAIM OBJECTIONS HAVE BEEN OVERCOME

Claims 1-2, 4-14, 23-24 and 26-31 have been objected to certain informalities. Claim 1 has been amended to replace "similarity" with "at least 95% identical to SEQ ID NO: 2". For consistency, claim 1 has also been amended to recite "PAI-1 molecule". Claim 2 has

been amended to italicize "*in vivo*". Claims 26 and 27 have been amended to correct typographical errors. As such, objections to these claims have been overcome.

III. THE REJECTIONS UNDER 35 U.S.C. § 112, SHOULD BE WITHDRAWN

Claims 1-2, 4, 7-14 and 23-25 have been rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement.

The Examiner has provided guidance on page 10 of the Office Action of how the claim language could be further clarified. In order to expedite prosecution, claims 1, 5, 6, 11, 12 and 13 have been amended to clarify the language pursuant to the Examiner's suggestions. As such, rejections of these claims have been overcome and the rejections should be withdrawn. Claim 14 has also been amended to recite a method of treating aberrant angiogenesis. The examples in the present specification have shown that the modified PAI-1 molecule of the present invention prevents sprout formation in Human Umbilical Vein Endothelial cells (HUVEC) aggregates (paragraphs [0227] – [0230]). The examples also indicate that modified PAI-1 reduces angiogenesis in chick embryos (paragraphs [0231] – [0232]). As such, Applicants submit that the specification provides sufficient guidance to one skilled in the art to make and use the invention commensurate with the scope of the claims. The rejection to claim 14 has been overcome and the rejection should be withdrawn.

IV. REJOINDER OF WITHDRAWN CLAIMS

The Examiner has imposed a restriction requirement on the present application and has stated that when a product claim is subsequently found allowable, requirement for restriction between the product claims and the rejoined process claims will be withdrawn. Applicants hereby request rejoinder of the process claims 15-16 and 21-22 which depend from or otherwise include all the limitations of the patentable product. As discussed above, the examples in the present specification have demonstrated that the modified PAI-1 molecules of the invention have prevent sprout formation in HUVEC aggregates and reduces angiogenesis in chick embryos. It is known that angiogenesis plays an important role in cancer development (paragraph [0066] – [0074]). Specifically, claims 15 and 16 are directed to methods of treating cancers using the modified PAI-1 molecule of the present invention. Furthermore, modified PAI-1 molecules of the present invention for the treatment of cancer is demonstrated in an animal model of tumor progression (paragraphs [0203], [0234] – [0237]). Accordingly, the specification enabled one skilled in the art for the treatment of cancer.

Claims 21 and 22 are directed to methods of treating uPA-mediated fibrinolysis and tPA-mediated fibrinolysis, respectively, using the modified PAI-1 molecule of the invention. Treatment of uPA-mediated fibrinolysis and tPA-mediated fibrinolysis using the modified PAI-1 of the present invention are demonstrated by the inhibitory activity of the modified PAI-1 molecule against uPA and tPA in amidolytic assays (paragraphs [0032-0034, 0209-0211]; Figs. 3-5). Thus, the specification has provided sufficient guidance to one skilled in the art to make and use the invention commensurate with the scope of the claims. Accordingly, claims 15-16, 21-22 satisfy all requirements of patentability and should be allowed.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the formal objections and rejections of the pending claims have been obviated and the rejections should be withdrawn. No new matter has been added by these amendments. Applicants respectfully submit that all claims are now in condition for allowance.

No fee is believed to be due for this amendment. Should any fee be required, please charge such fee to Jones Day Deposit Account No. 50-3013. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same. Allowance of the present application is respectfully requested.

Respectfully submitted,

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